

REMARKS

New claim 24 has been added. No new matter has been added. Support for claim 24 can be found throughout the Specification and in the originally filed claims. Claims 12 to 24 are now pending.

Applicants respectfully request reconsideration of the present application in view of this response.

Claims 12 to 16 and 21 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,317,568 to Bixby et al. ("*Bixby* reference") in view of U.S. Patent No. 5,546,538 to Cobbley ("*Cobbley* reference").

As discussed in Applicants' earlier responses, the *Bixby* reference purportedly concerns a method and apparatus for managing and facilitating communications in a distributed heterogeneous network. Title and Abstract, lines 1-3. The *Bixby* reference refers to a method and apparatus wherein communications managers reside in local processing environments and are responsible for interfacing local end users with the remainder of the heterogeneous network, each communications manager receiving distribution units from end users, the distribution units being assigned various priority levels and levels of assurance. Abstract, lines 3-9. The *Bixby* reference further refers to configuring the distribution unit according to a network protocol stack existing between the communications managed and an adjacent communications manager, the distribution units being transmitted according to priority. Abstract, lines 9-16. The *Bixby* reference also purportedly concerns load distribution among a complex of processors that share common functions, as well as control of information flow between adjacent communications managers. Abstract, lines 16-23.

The *Cobbley* reference purportedly concerns a system for processing handwriting written by a user of a portable computer. Title. According to the Abstract, the *Cobbley* reference describes a computer arrangement that offloads computationally intensive tasks from a portable computer device to a larger server -- where the portable computer device relies on handwriting or speech for input. Abstract, lines 1-5. The *Cobbley* reference refers to the portable computer device as having a wireless communication subsystem which, when a user writes on the display or speaks into the portable computer device, the central processing unit passes the handwriting or speech to the wireless communication subsystem which transmits the received information to a communication server, even while a user is still inputting information. Abstract, lines 5-11. The *Cobbley* reference describes that the

communication server routes the information to other server(s) and eventually transmits encoded text (translated from the information) back to the portable computing device. Abstract, lines 11-16.

In contrast, claim 12 concerns a method for transmitting information, comprising the steps of:

using a data structure that is defined by a formal language called Abstract Syntax Notation One; *and transmitting information encoded as text.*
[Emphasis added].

It is respectfully submitted that the *Bixby* reference and the *Cobbley* reference do not in any way teach or suggest the foregoing features of claim 12, which include using a data structure that is defined by a formal language called Abstract Syntax Notation One and transmitting information encoded as text.

While the *Bixby* and *Cobbley* references appear to suggest separate features of claim 12, they do not. That is, claim 12 concerns a method for transmitting information using a data structure defined by Abstract Syntax Notation One and transmitting the information encoded as text. Instead, the *Bixby* reference teaches away from claim 12 of the present invention, and thus cannot be combinable with the *Cobbley* reference. The *Bixby* reference at col. 57, lines 1-18 recites that it transmits its information using BER encoding – in direct contrast to the present invention as claimed in claim 12. See Present Application, Specification, page 5, lines 5-29. The method of the present invention, as claimed in claim 12, allows use of customary text-based transmission protocol (such as email), and the encoded contents can be read (*i.e.*, decoded) without accessing additional tools/references. *Id.* Applicants respectfully submit that the *Bixby* reference is clear in using BER encoding (see column 57 as cited by the Office Action) in connection with ASN.1. The *Cobbley* reference cannot save such a deficiency of the *Bixby* reference.

Accordingly, it is respectfully submitted that the *Bixby* and *Cobbley* references, alone or in combination (Applicants respectfully submit that *Bixby* and *Cobbley* are *not* combinable), do not properly describe or suggest the features of claim 12, and withdrawal of the rejection under 35 U.S.C. § 103(a) is therefore respectfully requested.

Claims 13 to 16 and 21 depend from claim 12, and are thus allowable for at least the same reasons as claim 12.

Accordingly, Applicants respectfully request that the rejections under 35

U.S.C. § 103(a) of claims 12 to 16 and 21 over the *Bixby* reference in view of the *Cobbley* reference be withdrawn, and that those claims be held allowable.

Claims 17 to 20 were rejected under 35 U.S.C. § 103(a) over the *Bixby* reference in view of the *Cobbley* reference and further in view of U.S. Patent No. 5,836,008 to Goumillou (the “*Goumillou* reference”).

Claims 17 to 20 depend from claim 12. As discussed above, the *Bixby* and *Cobbley* reference are not properly combinable and do not describe or even suggest at least the features of claim 12.

Moreover, the tertiary *Goumillou* reference does not cure the deficiencies of the *Bixby* and *Cobbley* references. The *Goumillou* reference purportedly concerns a system for transmitting information between a source and a receiver via a network to which is connected telecommunications equipment (comprised of a plurality of interfaces for various communication services) and an interface between the telecommunications equipment and external administration equipment. Abstract, lines 1-6. The *Goumillou* reference does not describe or even suggest at least the foregoing features of claim 12, which include using a data structure that is defined by a formal language called Abstract Syntax Notation One and transmitting information encoded as text.

Accordingly, it is respectfully submitted that neither the *Bixby* reference, the *Cobbley* reference nor the *Goumillou* reference, alone or in combination, describe or even suggest the foregoing features of claim 12. Thus, since claims 17 to 20 depend from claim 12, those claims are allowable for at least the same reasons as claim 12.

Claim 22 was rejected under 35 U.S.C. § 103(a) over the *Bixby* reference in view of U.S. Patent No. 5,892,950 to Rigori *et al.* (the “*Rigori* reference”).

Claim 22 depends from claim 12. As discussed above, the *Bixby* reference does not describe or even suggest at least the foregoing features of claim 12, which include transmitting information encoded as text.

Moreover, the secondary *Rigori* reference does not cure the deficiencies of the *Bixby* reference. The *Rigori* reference purportedly concerns an applications programming interface to a telecommunications management network having a command language interpreter and a compiler. Abstract, lines 1-3. The interpreter includes interpreter scripts for converting the network management parameters between the command string format and a network management protocol compatible format. Abstract, lines 5-8. The compiler compiles interpreter scripts for encoding

and decoding user defined parameter types, which are then loaded dynamically to the interpreter. Abstract, lines 8-11. The *Rigori* reference does not describe or even suggest at least the foregoing features of claim 12, which include using a data structure that is defined by a formal language called Abstract Syntax Notation One and transmitting information encoded as text.

Accordingly, it is respectfully submitted that neither the *Bixby* reference nor the *Rigori* reference, alone or in combination, describe or even suggest the foregoing features of claim 12. Thus, since claim 22 depends from claim 12, that claim is allowable for at least the same reasons as claim 12.

Accordingly, Applicants respectfully request that the rejections of the claims be withdrawn, and that the claims be held allowable.

New claim 24 has been added and contains features analogous to claim 12. Accordingly, claim 24 is allowable for at least the same reasons as claim 12.

In summary, it is respectfully submitted that all of claims 12 to 24 of the present application are allowable at least for the foregoing reasons.

CONCLUSION

In view of all of the above, it is believed that the 35 U.S.C. § 103(a) rejections of claims 12 to 23 (note: claim 23 was not addressed in the Office Action) have been obviated, and that all currently pending claims 12 to 24 are allowable. It is therefore respectfully requested that the rejections be reconsidered and withdrawn in light of the further clarifications above, and that the present application issue as early as possible.

If for any reason the Examiner believes that contact with Applicants' attorney would advance the prosecution of this application, please contact the undersigned at the number given below.

Respectfully submitted,

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